

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) Jeffrey E. Jenkins, Esquire Jenkins & Clayman 412 White Horse Pike Audubon, NJ 08106 (856) 546-9696 Attorney for Debtor	
In Re: Tiphany M. Delgado debtor	Case No.: 16-32992 Judge: JNP Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO
☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
☐ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. ☒ Motion for Relief from the Automatic Stay filed by

Ditech Financial, LLC, creditor.

A hearing has been scheduled for 12/7/2017

OR

- ☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee, _____.

A hearing has been scheduled for _____, at ____.

- ☐ Certification of Default filed by _____, creditor

I am requesting a hearing be scheduled in this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$_____, but have not been accounted for. Documentation in support of attached hereto.

☒ Payments have not been made for the following reasons and debtor proposes

repayment as follows **explain your answer**): In my Chapter 13 case, my mortgage company has made a motion for relief from stay because of my post-petition payment history. I did not understand what I was supposed to do with my post-petition payments, as I was applying for a loan modification. I can get one to two payments together and can send them to my attorneys, payable to the mortgage company. I would ask that the remaining arrears, which would only be seven or eight payments of \$718.00 each be paid through my Chapter 13 plan. My attorneys are going to have to modify the plan anyway to get rid of the \$13,000.00 that remains to be paid on my vehicle, because it was recently totaled, and I'm going to have to talk to the Trustee about getting another vehicle, but that sum would come out of my bankruptcy, so if \$6,000 or so gets put in there for the post-petition mortgage arrears, my payments are still going to be less than what they were.

☐ Other (**explain your answer**): _____

3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 10/27/17

/s/ Tiphany M. Delgado
Tiphany M. Delgado, debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested